

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

WEIS-BUY SERVICES, INC.,)	
)	
Plaintiff,)	
)	
)	
vs)	CIVIL ACTION NO. 00-RRA-2007-S
)	
)	
ROY J. BEARDEN, JR., also known as)	
JUNIOR BEARDEN, individually and)	
d/b/a J & J TOMATO,)	
)	
Defendant.)	

MEMORANDUM OPINION

This action was scheduled for trial on November 29, 2005. The parties, however, announced in open court that all claims in this action have been settled, and that the parties shall execute mutual general releases. Mr. Bearden, the administrator of the estate of Roy L. Bearden, deceased, testified that the decedent's estate does not have money, property, or any kind of asset sufficient to pay even the attorney's fees of defendant's own counsel.

Wherefore, pursuant to the agreement of the parties, this action is due to be DISMISSED WITH PREJUDICE as to all claims of all parties. Further, it is due to be ORDERED that the parties execute a general release that extinguishes all claims against the other concerning the facts in question in this lawsuit. The parties have also agreed to bear their own fees and costs. An appropriate order will be entered.

DONE this 29th day of November, 2005.


 ROBERT R. ARMSTRONG, JR.
 UNITED STATES MAGISTRATE JUDGE

